

NEW JERSEY DEPARTMENT OF TRANSPORTATION

MEMORANDUM

TO: ALL PERSONNEL CONCERNED

Robert K. Suess, Chief
Bureau of Roadway Plans
and Specifications


SUBJECT: Proposed Attachments

DATE: 10/9/91

TELEPHONE: 5-2574

In an effort to avoid the potential for error with respect to the wrong attachment (State or Federal) being included with the Proposal package, a notation has been added to each attachment. The notation, located on the bottom left of the attachments, includes page numbers and indicates whether the attachment is for State or Federal projects. The two page Proposed Bond is the same in either package so, therefore, no notation was necessary.

Attached is a copy of the respective Proposal attachments. All new Proposals produced from the mainframe after the date of this memorandum will have these attachments incorporated therein.



Robert K. Suess

Attachment

Implementation Code C

RKS:FC:mb

91073 APC

c: C. Takacs, R. Pege, E. Baker, I. B. Senyk, F. Battaglia,
J. Rush, A. Kuchtyak, C. Rebbeck, D. Yacovino, M. Cronin, F. Cocchiola,
C. Combs, R. Hansbury, B. Cook, L. Himm, S. Alu, R. Delaney, W. Dixon,
J. Fasanella, A. Fischer, Y. Kim, G. Cliver, B. Shah, K. Shelat,
A. Krawtschenko, J. Mycock, M. Patel, G. Nicholl, D. Piscopo,
M. Ritualo, J. Wincek, K. Zummo, M. DiBenedetti, J. Yeager,
R. Farese

PROJECT : <PROJECT DESCRIPTION - LINE 1>.....
<PROJECT DESCRIPTION - LINE 2>.....
<PROJECT DESCRIPTION - LINE 3>.....
<PROJECT DESCRIPTION - LINE 4>.....
<PROJECT DESCRIPTION - LINE 5>.....

PROPOSAL PAGE NO.XXX
BIDDER IDENTIFICATION
NO. _____

THE BIDDER HEREBY CERTIFIES TO THE BEST OF HIS KNOWLEDGE AND BELIEF AND UNDER PENALTY
OF PERJURY UNDER THE LAWS OF THE UNITED STATES AND THE STATE OF NEW JERSEY,

I. AFFIRMATIVE ACTION

THAT AN AFFIRMATIVE ACTION PROGRAM OF EQUAL EMPLOYMENT OPPORTUNITY, IN SUPPORT OF PL 1945, C 169, THE NEW JERSEY "LAW AGAINST DISCRIMINATION" AS SUPPLEMENTED AND AMENDED, AS WELL AS IN ACCORDANCE WITH EXECUTIVE ORDER NO. 11246 PROMULGATED BY THE PRESIDENT OF THE UNITED STATES, SEPTEMBER 24, 1965, AND EXECUTIVE ORDER NO. 11625, PROMULGATED BY THE PRESIDENT OF THE UNITED STATES, OCTOBER 13, 1971, HAS BEEN ADOPTED BY THIS ORGANIZATION TO ENSURE THAT APPLICANTS ARE EMPLOYED, EMPLOYEES ARE TREATED WITHOUT REGARD TO THEIR RACE, CREED, COLOR, NATIONAL ORIGIN, SEX OR AGE, AND THAT THE SELECTION AND UTILIZATION OF CONTRACTORS, SUBCONTRACTORS, CONSULTANTS, MATERIALS SUPPLIERS AND EQUIPMENT LESSORS SHALL BE DONE WITHOUT REGARD TO THEIR RACE, CREED, COLOR, NATIONAL ORIGIN, SEX OR AGE. SAID AFFIRMATIVE ACTION PROGRAM ADDRESSES BOTH THE INTERNAL RECRUITMENT, EMPLOYMENT AND UTILIZATION OF MINORITIES AND THE EXTERNAL RECRUITMENT POLICY REGARDING MINORITY CONTRACTORS, SUBCONTRACTORS, CONSULTANTS, MATERIALS SUPPLIERS AND EQUIPMENT LESSORS.

II. THIS SECTION IS DELETED FOR WHOLLY STATE FUNDED PROJECTS.

III. NON-COLLUSION AND WARRANTY CONCERNING SOLICITATION OF THE CONTRACT BY OTHERS.

THAT THIS PROPOSAL HAS BEEN EXECUTED WITH FULL AUTHORITY SO TO DO; THAT SAID BIDDER HAS NOT, DIRECTLY OR INDIRECTLY, ENTERED INTO ANY AGREEMENT, PARTICIPATED IN ANY COLLUSION, OR OTHERWISE TAKEN ANY ACTION IN RESTRAINT OF FREE, COMPETITIVE BIDDING IN CONNECTION WITH THE ABOVE NAMED PROJECT; AND THAT ALL STATEMENTS CONTAINED IN SAID PROPOSAL AND IN THIS AFFIDAVIT ARE TRUE AND CORRECT, AND MADE WITH FULL KNOWLEDGE THAT THE STATE OF NEW JERSEY RELIES UPON THE TRUTH OF THE STATEMENTS CONTAINED IN SAID PROPOSAL AND IN THE STATEMENTS CONTAINED IN THIS AFFIDAVIT IN AWARDED THE CONTRACT FOR THE SAID PROJECT.

THE BIDDER FURTHER WARRANTS THAT NO PERSON OR SELLING AGENCY HAS BEEN EMPLOYED OR RETAINED TO SOLICIT OR SECURE SUCH CONTRACT UPON AN AGREEMENT OR UNDERSTANDING FOR A COMMISSION, PERCENTAGE, BROKERAGE OR CONTINGENT FEE, EXCEPT BONA FIDE EMPLOYEES OR BONA FIDE ESTABLISHED COMMERCIAL OR SELLING AGENCIES MAINTAINED BY THE BIDDER. (N.J.S.A. 52:34-15)

IV. THIS SECTION IS DELETED FOR WHOLLY STATE FUNDED PROJECTS.

PROJECT : <PROJECT DESCRIPTION - LINE 1>.....
<PROJECT DESCRIPTION - LINE 2>.....
<PROJECT DESCRIPTION - LINE 3>.....
<PROJECT DESCRIPTION - LINE 4>.....
<PROJECT DESCRIPTION - LINE 5>.....

PROPOSAL PAGE NO.XXX
BIDDER IDENTIFICATION
NO. _____

V. THIS SECTION IS RESERVED.

VI. MINORITY CERTIFICATION

THAT HE HAS OR WILL ENTER INTO A FORMAL AGREEMENT WITH THOSE MINORITY CONTRACTORS FOR
THE AMOUNT AND TYPE OF WORK LISTED ON FORM A, SCHEDULE OF MBE OR D/WBE PARTICIPATION
CONDITIONED UPON EXECUTION OF THE CONTRACT.

NOTE - INDICATE ONE OF THE FOLLOWING:

() 1. THE BIDDER DOES NOT CONTEMPLATE ANY SUBCONTRACTING.

() 2. THE BIDDER CONTEMPLATES SUBCONTRACTING CERTAIN WORK.

NOTE - THE BIDDERS ATTENTION IS CALLED TO SECTION VIII, PARAGRAPH C AND SECTION IX OF THE
----- DISADVANTAGED AND WOMEN OWNED BUSINESS ENTERPRISE UTILIZATION ATTACHMENT AS ATTACHED
TO THE SUPPLEMENTARY SPECIFICATIONS.

PROJECT : <PROJECT DESCRIPTION - LINE 1>.....
<PROJECT DESCRIPTION - LINE 2>.....
<PROJECT DESCRIPTION - LINE 3>.....
<PROJECT DESCRIPTION - LINE 4>.....
<PROJECT DESCRIPTION - LINE 5>.....

PROPOSAL PAGE NO.XXX
BIDDER IDENTIFICATION
NO. _____

VII. DEBARMENT

THAT HE AND HIS PRINCIPALS:

ARE NOT PRESENTLY DEBARRED, SUSPENDED, PROPOSED FOR DEBARMENT, DECLARED INELIGIBLE, OR VOLUNTARILY EXCLUDED FROM COVERED TRANSACTIONS BY ANY FEDERAL DEPARTMENT OR AGENCY;

HAVE NOT WITHIN A THREE-YEAR PERIOD PRECEDING THIS PROPOSAL BEEN CONVICTED OF OR HAD A CIVIL JUDGMENT RENDERED AGAINST THEM FOR COMMISSION OF FRAUD OR A CRIMINAL OFFENSE IN CONNECTION WITH OBTAINING, ATTEMPTING TO OBTAIN, OR PERFORMING A PUBLIC (FEDERAL, STATE OR LOCAL) TRANSACTION OR CONTRACT UNDER A PUBLIC TRANSACTION; VIOLATION OF FEDERAL OR STATE ANTITRUST STATUTES OR COMMISSION OF EMBEZZLEMENT, THEFT, FORGERY, BRIBERY, FALSIFICATION OR DESTRUCTION OF RECORDS, MAKING FALSE STATEMENTS, OF RECEIVING STOLEN PROPERTY;

ARE NOT PRESENTLY INDICTED FOR OR OTHERWISE CRIMINALLY OR CIVILLY CHARGED BY A GOVERNMENTAL ENTITY (FEDERAL, STATE OR LOCAL) WITH COMMISSION OF ANY OF THE OFFENSES ENUMERATED IN THE ABOVE PARAGRAPH OF THIS CERTIFICATION; AND

HAVE NOT WITHIN A THREE-YEAR PERIOD PRECEDING THIS PROPOSAL HAD ONE OR MORE PUBLIC TRANSACTIONS (FEDERAL, STATE OR LOCAL) TERMINATED FOR CAUSE OR DEFAULT.

SHALL INSERT THIS CERTIFICATION IN EACH SUBCONTRACT AND SHALL REQUIRE ITS INCLUSION IN ANY LOWER TIER SUBCONTRACT, PURCHASE ORDER, OR TRANSACTION THAT MAY IN TURN BE MADE.

WHERE THE BIDDER IS UNABLE TO CERTIFY TO ANY OF THE STATEMENTS IN THIS CERTIFICATION, THE BIDDER SHALL EXPLAIN BELOW.

PROJECT : <PROJECT DESCRIPTION - LINE 1>.....
<PROJECT DESCRIPTION - LINE 2>.....
<PROJECT DESCRIPTION - LINE 3>.....
<PROJECT DESCRIPTION - LINE 4>.....
<PROJECT DESCRIPTION - LINE 5>.....

PROPOSAL PAGE NO.XXX
BIDDER IDENTIFICATION
NO. _____

BIDDER'S SIGNATURE AND NOTARIZATION

I HAVE FULL AUTHORITY TO EXECUTE THIS PROPOSAL ON BEHALF OF THE BIDDER NAMED ON PAGE ONE OF THIS PROPOSAL. IN EXECUTING THIS PROPOSAL I HEREBY DECLARE THAT THE BIDDER HAS CAREFULLY EXAMINED THE ADVERTISEMENT, STANDARD SPECIFICATIONS, SUPPLEMENTARY SPECIFICATIONS, PLANS, PROPOSAL AND ALL OTHER CONTRACT DOCUMENTS REQUIRED FOR THE CONSTRUCTION OF THE PROJECT NAMED ON PAGE ONE OF THE PROPOSAL.

THE BIDDER IS AN INDIVIDUAL)
 A PARTNERSHIP) UNDER THE LAWS OF
 A CORPORATION)

THE STATE OF _____ HAVING PRINCIPAL OFFICES

AT _____

(BIDDER) _____

(SIGNATURE) _____

(TITLE) _____

SUBSCRIBED AND SWORN TO BEFORE ME THIS

_____ DAY OF _____ 19____

NOTARY PUBLIC OF

MY COMMISSION EXPIRES _____ 19____

AFFIX
CORPORATION
SEAL
HERE

BIDDER IDENTIFICATION

NO. 1

DATE _____

FORM A - SCHEDULE OF MBE OR D/WBE PARTICIPATION

[illegible]

(HIDDER - PRINT NAME)

(MBE OR D/WBE LIAISON OFFICER)

(TELEPHONE NUMBER)

PROJECT : <PROJECT DESCRIPTION - LINE 1>.....
<PROJECT DESCRIPTION - LINE 2>.....
<PROJECT DESCRIPTION - LINE 3>.....
<PROJECT DESCRIPTION - LINE 4>.....
<PROJECT DESCRIPTION - LINE 5>.....

BIDDER IDENTIFICATION

NO. _____

FORM B - AFFIDAVIT OF MBE OR D/WBE STATUS

STATE OF _____)
COUNTY OF _____)SS.
_____)

I, _____ OF THE CITY OF _____
IN THE COUNTY OF _____ AND THE STATE OF _____, BEING
OF FULL AGE AND DULY SWORN ACCORDING TO LAW ON MY OATH DEPOSE AND SAY THAT:

I AM _____ OF THE FIRM OF _____
HAVING AN ADDRESS OF _____,
WHICH FIRM IS AS DEFINED IN SECTION V, PARAGRAPH B FOR GROUP I _____ (ETHNICITY)
OR GROUP II _____.

I FURTHER WARRANT THAT I AM AUTHORIZED BY THE SAID FIRM TO MAKE THIS AFFIDAVIT AND WILL
PROVIDE INFORMATION REQUESTED BY THE NEW JERSEY DEPARTMENT OF TRANSPORTATION TO DOCUMENT
THE FACT THAT THE SAID FIRM IS AS DEFINED IN SECTION V, PARAGRAPH B.

(SIGNATURE)

SUBSCRIBED AND SWORN TO BEFORE ME THIS

_____ DAY OF _____ 19____

NOTARY PUBLIC OF _____

MY COMMISSION EXPIRES _____ 19____

PROPOSAL BOND

KNOW ALL MEN BY THESE PRESENTS, THAT WE, THE UNDERSIGNED

AS PRINCIPAL, AND _____

WITH UNDERWRITING OFFICE AT _____

TO WHICH ALL COMMUNICATION IN REGARD TO THIS BOND SHOULD BE ADDRESSED, A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF _____ AND DULY AUTHORIZED TO DO BUSINESS IN THE STATE OF NEW JERSEY, AS SURETY, ARE HELD AND FIRMLY BOUND UNTO THE STATE OF NEW JERSEY IN THE PENAL SUM OF FIFTY PERCENT (50%) OF THE AMOUNT BID FOR THE PROJECT LISTED BELOW, FOR THE PAYMENT OF WHICH WELL AND TRULY TO BE MADE, WE HEREBY JOINTLY AND SEVERALLY BIND OURSELVES, OUR HEIR, EXECUTORS, ADMINISTRATORS, SUCCESSORS AND ASSIGNS.

SIGNED, SEALED AND DATED THIS _____ DAY OF _____

NINETEEN HUNDRED AND _____

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT WHEREAS THE PRINCIPAL IS HERewith SUBMITTING A PROPOSAL FOR:

<PROJECT DESCRIPTION - LINE 1>.....
 <PROJECT DESCRIPTION - LINE 2>.....
 <PROJECT DESCRIPTION - LINE 3>.....
 <PROJECT DESCRIPTION - LINE 4>.....
 <PROJECT DESCRIPTION - LINE 5>.....

NOW, THEREFORE, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT, IF THE SAID PRINCIPAL SHALL PROPERLY EXECUTE A CONTRACT SECURED BY SATISFACTORY BONDS IN ACCORDANCE WITH THE PROVISIONS OF NJSA 2A:44-143 TO NJSA 2A:44-147 AND THE SPECIFICATIONS FOR THE PROJECT FOR THE FAITHFUL PERFORMANCE THEREOF WITHIN TEN (10) STATE BUSINESS DAYS AFTER BEING NOTIFIED IN WRITING OF THE AWARD OF SUCH CONTRACT TO THE PRINCIPAL, OR IF THE PRINCIPAL OR SURETY SHALL PAY THE STATE OF NEW JERSEY THE SUM, NOT EXCEEDING THE PENALTY HEREOF, BY WHICH THE AMOUNT OF THE CONTRACT, COVERING THE SAID PROPOSAL, PROPERLY AND LAWFULLY EXECUTED BY AND BETWEEN THE STATE OF NEW JERSEY AND SOME THIRD PARTY, MAY EXCEED THE AMOUNT BID BY THE PRINCIPAL; THEN THIS OBLIGATION SHALL BE VOID; OTHERWISE IT SHALL REMAIN IN FULL FORCE AND EFFECT.

WITNESS OR ATTEST:

SECRETARY
(ALSO PRINT OR TYPE NAME)

WITNESS OR ATTEST:

(ALSO PRINT OR TYPE NAME)

PRINCIPAL
(ALSO PRINT OR TYPE NAME)
(AFFIX CORPORATE SEAL OF PRINCIPAL)

SURETY
(ALSO PRINT OR TYPE NAME)
(AFFIX CORPORATE SEAL OF SURETY)

CERTIFICATION TO THE AUTHORITY OF THE
ATTORNEY IN FACT TO COMMIT THE SURETY
COMPANY MUST ACCOMPANY THIS BOND, AND
A TRUE AND CORRECT STATEMENT OF THE
FINANCIAL CONDITION OF SAID SURETY
COMPANY.

FOR DEPT. USE ONLY:

SURETY CHECKED BY _____

TREASURY CIRCULAR 570 * _____

LICENSED IN NEW JERSEY _____

PROJECT : <PROJECT DESCRIPTION - LINE 1>.....
<PROJECT DESCRIPTION - LINE 2>.....
<PROJECT DESCRIPTION - LINE 3>.....
<PROJECT DESCRIPTION - LINE 4>.....
<PROJECT DESCRIPTION - LINE 5>.....

PROPOSAL PAGE NO. XXX
BIDDER IDENTIFICATION

NO.

THE BIDDER HEREBY CERTIFIES TO THE BEST OF HIS KNOWLEDGE AND BELIEF AND UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES AND THE STATE OF NEW JERSEY,

I. AFFIRMATIVE ACTION

THAT AN AFFIRMATIVE ACTION PROGRAM OF EQUAL OPPORTUNITY, IN SUPPORT OF PL 1945, C 169, THE NEW JERSEY "LAW AGAINST DISCRIMINATION" AS SUPPLEMENTED AND AMENDED, AS WELL AS IN ACCORDANCE WITH EXECUTIVE ORDER NO. 11246 PROMULGATED BY THE PRESIDENT OF THE UNITED STATES, SEPTEMBER 24, 1965 AND EXECUTIVE ORDER NO. 11625, PROMULGATED BY THE PRESIDENT OF THE UNITED STATES, OCTOBER 13, 1971, HAS BEEN ADOPTED BY THIS ORGANIZATION TO ENSURE THAT APPLICANTS ARE EMPLOYED, EMPLOYEES ARE TREATED WITHOUT REGARD TO THEIR RACE, CREED, COLOR, NATIONAL ORIGIN, SEX OR AGE, AND THAT THE SELECTION AND UTILIZATION OF CONTRACTORS, SUBCONTRACTORS, CONSULTANTS, MATERIALS SUPPLIERS AND EQUIPMENT LESSORS SHALL BE DONE WITHOUT REGARD TO THEIR RACE, CREED, COLOR, NATIONAL ORIGIN, SEX OR AGE. SAID AFFIRMATIVE ACTION PROGRAM ADDRESSES BOTH THE INTERNAL RECRUITMENT, EMPLOYMENT AND UTILIZATION OF MINORITIES AND THE EXTERNAL RECRUITMENT POLICY REGARDING MINORITY CONTRACTORS, SUBCONTRACTORS, CONSULTANTS, MATERIALS SUPPLIERS AND EQUIPMENT LESSORS.

II. THE PERFORMANCE OF PREVIOUS CONTRACTS OR SUBCONTRACTS SUBJECT TO THE EQUAL OPPORTUNITY CLAUSE AND THE FILING OF REQUIRED REPORTS

THAT IF THE BIDDER HAS PARTICIPATED IN A PREVIOUS CONTRACT OR SUBCONTRACT SUBJECT TO THE EQUAL OPPORTUNITY CLAUSE, AS REQUIRED BY EXECUTIVE ORDERS 10925, 11114, OR 11246, ALL REPORTS DUE UNDER THE APPLICABLE FILING REQUIREMENTS HAVE BEEN FILED WITH THE JOINT REPORTING COMMITTEE, THE DIRECTOR OF THE OFFICE OF FEDERAL CONTRACT COMPLIANCE, A FEDERAL GOVERNMENT CONTRACTING OR ADMINISTERING AGENCY, OR THE FORMER PRESIDENT'S COMMITTEE ON EQUAL EMPLOYMENT OPPORTUNITY.

NOTE: THIS SECTION (II) IS REQUIRED BY THE EQUAL EMPLOYMENT OPPORTUNITY REGULATIONS OF THE SECRETARY OF LABOR (41 CFR 60-1.7(B) (1)) FOR FEDERALLY FUNDED PROJECTS, AND MUST BE CERTIFIED TO BY BIDDERS ONLY IN CONNECTION WITH CONTRACTS AND SUBCONTRACTS WHICH ARE SUBJECT TO THE EQUAL OPPORTUNITY CLAUSE. CONTRACTS AND SUBCONTRACTS WHICH ARE EXEMPT FROM THE EQUAL OPPORTUNITY CLAUSE ARE SET FORTH IN 41 CFR 60-1.5. (GENERALLY ONLY CONTRACTS OR SUBCONTRACTS OF \$10,000 OR UNDER ARE EXEMPT).

CURRENTLY, STANDARD FORM 100 (EEO-1) IS FOR FHWA AND FRA FUNDED PROJECTS AND STANDARD FORMS 100 (EEO-1) AND 257 ARE FOR UMTA FUNDED PROJECTS AS REQUIRED BY EXECUTIVE ORDERS OR THEIR IMPLEMENTING REGULATIONS.

CONTRACTORS WHO HAVE PARTICIPATED IN A PREVIOUS CONTRACT OR SUBCONTRACT SUBJECT TO THE EXECUTIVE ORDERS AND HAVE NOT FILED THE REQUIRED REPORTS SHOULD NOTE THAT 41 CFR 60-1.7(B) (1) PREVENTS THE AWARD OF CONTRACTS UNLESS SUCH CONTRACTOR SUBMITS A REPORT COVERING THE DELINQUENT PERIOD OR SUCH OTHER PERIOD SPECIFIED BY THE PARTICIPATING FEDERAL AGENCY OR BY THE DIRECTOR, OFFICE OF FEDERAL CONTRACT COMPLIANCE, U.S. DEPARTMENT OF LABOR.

PROJECT : <PROJECT DESCRIPTION - LINE 1>.....
<PROJECT DESCRIPTION - LINE 2>.....
<PROJECT DESCRIPTION - LINE 3>.....
<PROJECT DESCRIPTION - LINE 4>.....
<PROJECT DESCRIPTION - LINE 5>.....

PROPOSAL PAGE NO.XXX
BIDDER IDENTIFICATION

NO. _____

III. NON-COLLUSION AND WARRANTY CONCERNING SOLICITATION OF THE CONTRACT BY OTHERS

THAT THIS PROPOSAL HAS BEEN EXECUTED WITH FULL AUTHORITY SO TO DO; THAT SAID BIDDER HAS NOT, DIRECTLY OR INDIRECTLY, ENTERED INTO ANY AGREEMENT, PARTICIPATED IN ANY COLLUSION, OR OTHERWISE TAKEN ANY ACTION IN RESTRAINT OF FREE, COMPETITIVE BIDDING IN CONNECTION WITH THE ABOVE NAMED PROJECT; AND THAT ALL STATEMENTS CONTAINED IN SAID PROPOSAL AND IN THIS AFFIDAVIT ARE TRUE AND CORRECT, AND MADE WITH FULL KNOWLEDGE THAT THE STATE OF NEW JERSEY RELIES UPON THE TRUTH OF THE STATEMENTS CONTAINED IN SAID PROPOSAL AND IN THE STATEMENTS CONTAINED IN THIS AFFIDAVIT IN AWARDING THE CONTRACT FOR THE SAID PROJECT.

THE BIDDER WARRANTS THAT NO PERSON OR SELLING AGENCY HAS BEEN EMPLOYED OR RETAINED TO SOLICIT OR SECURE SUCH CONTRACT UPON AN AGREEMENT OR UNDERSTANDING FOR A COMMISSION, PERCENTAGE, BROKERAGE OR CONTINGENT FEE, EXCEPT BONA FIDE EMPLOYEES OR BONA FIDE ESTABLISHED COMMERCIAL OR SELLING AGENCIES MAINTAINED BY THE BIDDER. (N.J.S.A.52:34-15)

IV. CERTIFICATION FOR FEDERAL AID CONTRACTS

THAT NO FEDERAL APPROPRIATED FUNDS HAVE BEEN PAID OR WILL BE PAID, BY OR ON BEHALF OF THE UNDERSIGNED, TO ANY PERSON FOR INFLUENCING OR ATTEMPTING TO INFLUENCE AN OFFICER OR EMPLOYEE OF ANY FEDERAL AGENCY, A MEMBER OF CONGRESS, AN OFFICER OR EMPLOYEE OF CONGRESS, OR AN EMPLOYEE OF A MEMBER OF CONGRESS IN CONNECTION WITH THE AWARDING OF ANY FEDERAL CONTRACT, THE MAKING OF ANY FEDERAL GRANT, THE MAKING OF ANY FEDERAL LOAN, THE ENTERING INTO OF ANY COOPERATIVE AGREEMENT, AND THE EXTENSION, CONTINUATION, RENEWAL, AMENDMENT, OR MODIFICATION OF ANY FEDERAL CONTRACT, GRANT, LOAN, OR COOPERATIVE AGREEMENT.

THAT IF ANY FUNDS OTHER THAN FEDERAL APPROPRIATED FUNDS HAVE BEEN PAID OR WILL BE PAID TO ANY PERSON FOR INFLUENCING OR ATTEMPTING TO INFLUENCE AN OFFICER OR EMPLOYEE OF ANY FEDERAL AGENCY, A MEMBER OF CONGRESS, AN OFFICER OR EMPLOYEE OF CONGRESS, OR AN EMPLOYEE OF A MEMBER OF CONGRESS IN CONNECTION WITH THIS FEDERAL CONTRACT, GRANT, LOAN, OR COOPERATIVE AGREEMENT, THE UNDERSIGNED SHALL COMPLETE AND SUBMIT STANDARD FORM-LLL, "DISCLOSURE FORM TO REPORT LOBBYING," IN ACCORDANCE WITH ITS INSTRUCTIONS.

THIS CERTIFICATION IS A MATERIAL REPRESENTATION OF FACT UPON WHICH RELIANCE WAS PLACED WHEN THIS TRANSACTION WAS MADE OR ENTERED INTO. SUBMISSION OF THIS CERTIFICATION IS A PREREQUISITE FOR MAKING OR ENTERING INTO THIS TRANSACTION IMPOSED BY SECTION 1352, TITLE 31, U.S. CODE. ANY PERSON WHO FAILS TO FILE THE REQUIRED CERTIFICATION SHALL BE SUBJECT TO A CIVIL PENALTY OF NOT LESS THAN \$10,000 AND NOT MORE THAN \$100,000 FOR EACH SUCH FAILURE.

THE PROSPECTIVE PARTICIPANT ALSO AGREES BY SUBMITTING HIS OR HER BID OR PROPOSAL THAT HE OR SHE SHALL REQUIRE THAT THE LANGUAGE OF THIS CERTIFICATION BE INCLUDED IN ALL LOWER TIER SUBCONTRACTS, WHICH EXCEED \$100,000 AND THAT ALL SUCH SUBRECIPIENTS SHALL CERTIFY AND DISCLOSE ACCORDINGLY.

V. THIS SECTION IS RESERVED.

PROJECT : <PROJECT DESCRIPTION - LINE 1>.....
<PROJECT DESCRIPTION - LINE 2>.....
<PROJECT DESCRIPTION - LINE 3>.....
<PROJECT DESCRIPTION - LINE 4>.....
<PROJECT DESCRIPTION - LINE 5>.....

PROPOSAL PAGE NO. XXX
BIDDER IDENTIFICATION
NO. _____

VI. DISADVANTAGED BUSINESS ENTERPRISE CERTIFICATION (DBE) (REQUIRED FOR FHWA PROJECTS)

THAT HE SHALL MEET THE REQUIREMENTS OF THE DISADVANTAGED BUSINESS ENTERPRISES UTILIZATION ATTACHMENT IN ORDER TO ENSURE THAT DISADVANTAGED BUSINESS ENTERPRISES, AS DEFINED IN THAT ATTACHMENT, HAVE THE MAXIMUM OPPORTUNITY TO COMPETE FOR AND PERFORM SUBCONTRACTS.

VII. DEBARMENT (REQUIRED FOR FHWA PROJECTS)

THAT HE AND HIS PRINCIPALS:

ARE NOT PRESENTLY DEBARRED, SUSPENDED, PROPOSED FOR DEBARMENT, DECLARED INELIGIBLE, OR VOLUNTARILY EXCLUDED FROM COVERED TRANSACTIONS BY ANY FEDERAL DEPARTMENT OR AGENCY;

HAVE NOT WITHIN A THREE-YEAR PERIOD PRECEDING THIS PROPOSAL BEEN CONVICTED OF OR HAD A CIVIL JUDGMENT RENDERED AGAINST THEM FOR COMMISSION OF FRAUD OR A CRIMINAL OFFENSE IN CONNECTION WITH OBTAINING, ATTEMPTING TO OBTAIN, OR PERFORMING A PUBLIC (FEDERAL, STATE OR LOCAL) TRANSACTION OR CONTRACT UNDER A PUBLIC TRANSACTION; VIOLATION OF FEDERAL OR STATE ANTITRUST STATUTES OR COMMISSION OF EMBEZZLEMENT, THEFT, FORGERY, BRIBERY, FALSIFICATION OR DESTRUCTION OF RECORDS, MAKING FALSE STATEMENTS, OF RECEIVING STOLEN PROPERTY;

ARE NOT PRESENTLY INDICTED FOR OR OTHERWISE CRIMINALLY OR CIVILLY CHARGED BY A GOVERNMENTAL ENTITY (FEDERAL, STATE OR LOCAL) WITH COMMISSION OF ANY OF THE OFFENSES ENUMERATED IN THE ABOVE PARAGRAPH OF THIS CERTIFICATION; AND

HAVE NOT WITHIN A THREE-YEAR PERIOD PRECEDING THIS PROPOSAL HAD ONE OR MORE PUBLIC TRANSACTIONS (FEDERAL, STATE OR LOCAL) TERMINATED FOR CAUSE OR DEFAULT.

SHALL INSERT FORM FHWA 1273 IN EACH SUBCONTRACT AND SHALL REQUIRE ITS INCLUSION IN ANY LOWER TIER SUBCONTRACT, PURCHASE ORDER, OR TRANSACTION THAT MAY IN TURN BE MADE.

WHERE THE BIDDER IS UNABLE TO CERTIFY TO ANY OF THE STATEMENTS IN THIS CERTIFICATION, THE BIDDER SHALL EXPLAIN BELOW.

PROJECT : <PROJECT DESCRIPTION - LINE 1>.....
<PROJECT DESCRIPTION - LINE 2>.....
<PROJECT DESCRIPTION - LINE 3>.....
<PROJECT DESCRIPTION - LINE 4>.....
<PROJECT DESCRIPTION - LINE 5>.....

PROPOSAL PAGE NO.XXX
BIDDER IDENTIFICATION

NO.

BIDDER'S SIGNATURE AND NOTARIZATION

I HAVE FULL AUTHORITY TO EXECUTE THIS PROPOSAL ON BEHALF OF THE BIDDER NAMED ON PAGE ONE OF THIS PROPOSAL. IN EXECUTING THIS PROPOSAL I HEREBY DECLARE THAT THE BIDDER HAS CAREFULLY EXAMINED THE ADVERTISEMENT, STANDARD SPECIFICATIONS, SUPPLEMENTARY SPECIFICATIONS, PLANS, PROPOSAL AND ALL OTHER CONTRACT DOCUMENTS REQUIRED FOR THE CONSTRUCTION OF THE PROJECT NAMED ON PAGE ONE OF THE PROPOSAL.

AN INDIVIDUAL)
THE BIDDER IS A PARTNERSHIP) UNDER THE LAWS OF
A CORPORATION)

THE STATE OF _____ HAVING PRINCIPAL OFFICES

AT _____

(BIDDER) _____

(SIGNATURE) _____

(TITLE) _____

SUBSCRIBED AND SWORN TO BEFORE ME THIS

_____ DAY OF _____ 19 ____

_____ NOTARY PUBLIC OF _____

MY COMMISSION EXPIRES _____ 19 ____

AFFIX
CORPORATE
SEAL
HERE

BIDDER IDENTIFICATION

NO. 1

DATE: _____

DBE FORM A

BID AMOUNT: _____

SCHEDULE OF DBE PARTICIPATION

[illegible]

CLASSIFICATION:

```

S = SUBCONTRACTOR (100% CREDIT)
M = MANUFACTURER (100% CREDIT)
RD/S = REGULAR DEALER/SUPPLIER (60% CREDIT)
RD/I = REGULAR DEALER/INSTALLER (100% CREDIT)
T/H = TRUCKER/HAULER (100% CREDIT)
EL = EQUIPMENT LESSOR (100% CREDIT)

```

BIDDER - PRINT NAME DBE LIAISON OFFICER

TELEPHONE NUMBER

NOTES: A REGULAR DEALER/SUPPLIER MUST MAINTAIN INVENTORY AND/OR OWN OR OPERATE DISTRIBUTION EQUIPMENT.

PRIME CONTRACTOR WILL NOT RECEIVE CREDIT FOR DBE BROKER PARTICIPATION.

PROJECT : <PROJECT DESCRIPTION - LINE 1>.....
<PROJECT DESCRIPTION - LINE 2>.....
<PROJECT DESCRIPTION - LINE 3>.....
<PROJECT DESCRIPTION - LINE 4>.....
<PROJECT DESCRIPTION - LINE 5>.....

BIDDER IDENTIFICATION

NO. _____

FORM B - AFFIDAVIT OF DBE STATUS

STATE OF _____)
)88.
COUNTY OF _____)

I, _____ OF THE CITY OF _____ IN THE COUNTY OF _____
AND THE STATE OF _____, BEING OF FULL AGE AND DULY SWORN ACCORDING TO LAW ON MY OATH
DEPOSE AND SAY THAT:

I AM _____ OF THE FIRM OF _____
HAVING AN ADDRESS OF _____
WHICH FIRM IS AS DEFINED IN SECTION V, PARAGRAPH B.

I FURTHER WARRANT THAT I AM AUTHORIZED BY THE SAID FIRM TO MAKE THIS AFFIDAVIT AND WILL PROVIDE
INFORMATION REQUESTED BY THE NEW JERSEY DEPARTMENT OF TRANSPORTATION TO DOCUMENT THE FACT THAT THE
SAID FIRM IS AS DEFINED IN SECTION V, PARAGRAPH B.

(SIGNATURE)

SUBSCRIBED AND SWORN TO BEFORE ME THIS
_____ DAY OF _____ 19 _____

NOTARY PUBLIC OF

MY COMMISSION EXPIRES _____ 19 _____

PROPOSAL BOND

KNOW ALL MEN BY THESE PRESENTS, THAT WE, THE UNDERSIGNED

AS PRINCIPAL, AND _____

WITH UNDERWRITING OFFICE AT _____

TO WHICH ALL COMMUNICATION IN REGARD TO THIS BOND SHOULD BE ADDRESSED, A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF _____ AND DULY AUTHORIZED TO DO BUSINESS IN THE STATE OF NEW JERSEY, AS SURETY, ARE HELD AND FIRMLY BOUND UNTO THE STATE OF NEW JERSEY IN THE PENAL SUM OF FIFTY PERCENT (50%) OF THE AMOUNT BID FOR THE PROJECT LISTED BELOW, FOR THE PAYMENT OF WHICH WELL AND TRULY TO BE MADE, WE HEREBY JOINTLY AND SEVERALLY BIND OURSELVES, OUR HEIR, EXECUTORS, ADMINISTRATORS, SUCCESSORS AND ASSIGNS.

SIGNED, SEALED AND DATED THIS _____ DAY OF _____

NINETEEN HUNDRED AND _____

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT WHEREAS THE PRINCIPAL IS HERewith SUBMITTING A PROPOSAL FOR:

<PROJECT DESCRIPTION - LINE 1>.....
<PROJECT DESCRIPTION - LINE 2>.....
<PROJECT DESCRIPTION - LINE 3>.....
<PROJECT DESCRIPTION - LINE 4>.....
<PROJECT DESCRIPTION - LINE 5>.....

NOW, THEREFORE, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT, IF THE SAID PRINCIPAL SHALL PROPERLY EXECUTE A CONTRACT SECURED BY SATISFACTORY BONDS IN ACCORDANCE WITH THE PROVISIONS OF NJSA 2A:44-143 TO NJSA 2A:44-147 AND THE SPECIFICATIONS FOR THE PROJECT FOR THE FAITHFUL PERFORMANCE THEREOF WITHIN TEN (10) STATE BUSINESS DAYS AFTER BEING NOTIFIED IN WRITING OF THE AWARD OF SUCH CONTRACT TO THE PRINCIPAL, OR IF THE PRINCIPAL OR SURETY SHALL PAY THE STATE OF NEW JERSEY THE SUM, NOT EXCEEDING THE PENALTY HEREOF, BY WHICH THE AMOUNT OF THE CONTRACT, COVERING THE SAID PROPOSAL, PROPERLY AND LAWFULLY EXECUTED BY AND BETWEEN THE STATE OF NEW JERSEY AND SOME THIRD PARTY, MAY EXCEED THE AMOUNT BID BY THE PRINCIPAL; THEN THIS OBLIGATION SHALL BE VOID; OTHERWISE IT SHALL REMAIN IN FULL FORCE AND EFFECT.

WITNESS OR ATTEST:

SECRETARY
(ALSO PRINT OR TYPE NAME)

WITNESS OR ATTEST:

(ALSO PRINT OR TYPE NAME)

PRINCIPAL
(ALSO PRINT OR TYPE NAME)
(AFFIX CORPORATE SEAL OF PRINCIPAL)

SURETY
(ALSO PRINT OR TYPE NAME)
(AFFIX CORPORATE SEAL OF SURETY)

CERTIFICATION TO THE AUTHORITY OF THE
ATTORNEY IN FACT TO COMMIT THE SURETY
COMPANY MUST ACCOMPANY THIS BOND, AND
A TRUE AND CORRECT STATEMENT OF THE
FINANCIAL CONDITION OF SAID SURETY
COMPANY.

FOR DEPT. USE ONLY:

SURETY CHECKED BY _____

TREASURY CIRCULAR 570 \$ _____

LICENSED IN NEW JERSEY _____